



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 2, 2019

[REDACTED]
P.O. Box 089002
Chicago, Illinois 60608

Re: FOIA Request for Review – 2018 PAC 56189

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Chicago Police Department (CPD). Your submission was incomplete in that you did not submit a signed Request for Review and a copy of your FOIA request.

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, your FOIA request was partially denied on October 3, 2018. This office received your Request for Review on December 20, 2018. Because it appears that you submitted your Request for Review more than 60 days after CPD partially denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

You may wish to submit another FOIA request to CPD for the same records. If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
TERESA LIM
Assistant Attorney General
Public Access Bureau

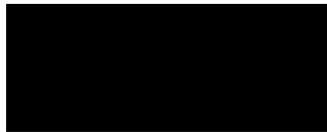
56189 f inc 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 3, 2019



RE: FOIA Request for Review – 2018 PAC 56236

Dear 

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2016)). For the reasons set forth below, the Public Access Bureau concludes that this Request for Review is untimely.

On August 21, 2018, you submitted correspondence to the Metropolitan Water Reclamation District of Greater Chicago (District) seeking the dates of certain meetings. On September 7, 2018, the District responded by providing you with a link to its website and instructions for accessing the information you were seeking. On that same date, you resubmitted your request to the District, indicating that you believed that you were not provided with the correct information. On September 14, 2018, the District responded that it possessed no further documents responsive to your request. On December 18, 2018, you submitted this Request for Review alleging that the District failed to comply with FOIA.

As a threshold matter, section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)) provides: "A person whose request to inspect or copy a public record **is denied** by a public body * * * may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later than 60 days after the date of the final denial.**" (Emphasis added.) Even if the District's September 14, 2018, response constituted the District's final denial to a valid FOIA request, the December 18, 2018, submission of your Request for Review exceeded the 60-day time period set forth in section 9.5(a) of FOIA by over a month. Therefore, the Public Access Bureau lacks the authority to review this matter.

Because this office is also charged with providing advice and education to both the public and public officials (15 ILCS 205/7(a), (b), (c) (West 2016)), this office notes that FOIA applies only to requests for public records. 5 ILCS 140/3(a) (West 2016) ("Each public

[REDACTED]
January 2, 2019

Page 2

body shall make available to any person for inspection or copying all public records, except as otherwise provided in Sections 7 and 8.5 of this Act."). A FOIA request "must reasonably identify a public record and not general data, information, or statistics." *Chicago Tribune Co. v. Dep't of Financial & Professional Regulation*, 2014 IL App (4th) 130427, ¶33, 8 N.E.3d 11, 19 (2014). A public body is not required to answer questions or generate new records in response to a FOIA request. *Kenyon v. Garrels*, 184 Ill. App. 3d 28, 32 (4th Dist. 1989).

Rather than reasonably describing public records, you asked the District to provide you with dates. Under the requirements of FOIA, the District was not obligated to answer your question.

This letter closes this file. If you have any questions, please contact me at (312) 814-8413 or jjones@atg.state.il.us.

Very truly yours,

[REDACTED]
JOSHUA M. JONES
Deputy Bureau Chief
Public Access Bureau

56236 f 60 days reg auth

cc: Ms. Gabrielle Giamarusti
Senior Legal Assistant
Metropolitan Water Reclamation District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60611



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 4, 2019

Via electronic mail

[REDACTED]
P.O. Box 26
Littleton, Illinois 61452
[REDACTED]

RE: FOIA Request for Review – 2018 PAC 56038

Dear [REDACTED]

On December 8, 2018, you submitted a Request for Review to the Public Access Bureau under section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). Your Request for Review included a copy of your September 27, 2018, FOIA request to Littleton Township (Township) and the Township's October 8, 2018, response asserting that it possessed no responsive documents to portions of your request. Your Request for Review also indicated potential violations of the Open Meetings Act (5 ILCS 120/1 *et. seq.* (West 2016)), which requires, in pertinent part, that elected or appointed members of a public body successfully complete the electronic training curriculum developed and administered by the Public Access Counselor. However, in a December 17, 2018, telephone conversation with an Assistant Attorney General in the Public Access Bureau, you confirmed that the scope of your Request for Review was limited only to the completeness of the Township's October 8, 2018, response.

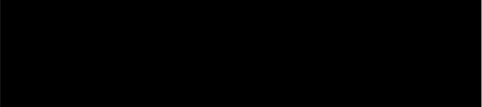
Section 9.5(a) of FOIA requires a Request for Review be filed with the Public Access Counselor "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. Based on the information you have provided, the Township denied your FOIA request on October 8, 2018. You submitted your Request for Review to the Public Access Counselor on December 8, 2018. Because you filed your Request for Review more than 60 days after the Township's response, section 9.5(a) precludes this office from reviewing that denial. This file has been closed.


January 4, 2019

Page 2

If you have any questions, please contact me at (217) 782-1699,
ldraws@atg.state.il.us, or the Springfield address at the bottom of this letter.

Very truly yours,


LEO DRAWS
Assistant Attorney General
Public Access Bureau

56038 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 7, 2019



Re: FOIA Request for Review – 2019 PAC 56317

Dear 

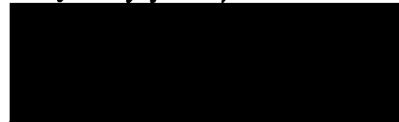
The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the St. Clair County State's Attorney's Office. The St. Clair County State's Attorney's Office responded to your request on August 23, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the St. Clair County State's Attorney's Office denied your FOIA request on August 23, 2018. Your Request for Review, postmarked December 28, 2018, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,



MATT HARTMAN
Assistant Attorney General
Public Access Bureau

56317 f 60 days sao



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 7, 2019

[REDACTED]
P.O. Box 4394
Chicago, Illinois 60680

Re: FOIA Request for Review – 2019 PAC 56329

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Transit Authority. The Chicago Transit Authority responded to your request on October 30, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Chicago Transit Authority denied your FOIA request on October 30, 2018. Your Request for Review, postmarked December 31, 2018, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
MATT HARTMAN
Assistant Attorney General
Public Access Bureau

56329 f 60 days reg auth



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 8, 2019

[REDACTED]

Re: FOIA Request for Review – 2018 PAC 56328

Dear [REDACTED]

On October 25, 2018, you submitted a Freedom of Information Act (FOIA) request to the East Peoria Police Department (Department) seeking a copy of police report 17-189993. On October 30, 2018, the Department furnished you the responsive report with redactions pursuant to sections 7(1)(b), and 7(1)(c) of FOIA (5 ILCS 140/7(1)(b), (1)(c) (West 2017 Supp.)). On December 31, 2018 (post-mark date), you mailed the above-captioned Request for Review contesting the Department's redactions.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of a FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Because you did not submit your Request for Review until more than 60 days after the Department denied your FOIA request, section 9.5(a) precludes this office from reviewing the Department's response, and this file has been closed.

If you have any questions, you may contact me at the Chicago address below.

Very truly yours,

[REDACTED]

LEAH BARTELT
Assistant Attorney General
Public Access Bureau

56328 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 16, 2019

Via electronic mail

RE: OMA Request for Review – 2019 PAC 56373

Dear [REDACTED]

The Public Access Bureau has received your Request for Review alleging violations of the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2016)) by the City of Chicago Mayor's Office for People with Disabilities (MOPD) Task Force on Employment and Economic Opportunity for People with Disabilities (Task Force). In particular, you allege that the Task Force did not have an agenda for its March 21, 2018, meeting and did not keep minutes of its meetings held before December 7, 2017. After reviewing the information that you have furnished, however, this office concludes that no further action is warranted.

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2016)) provides:

A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the alleged violation. ***If facts concerning the violation are not discovered within the 60-day period, but are discovered at a later date, not exceeding 2 years after the alleged violation, by a person utilizing reasonable diligence, the request for review may be made within 60 days of the discovery of the alleged violation.*** The request for review must be in writing, must be signed by the requester, and must include ***a summary of the facts supporting the allegation.*** The changes made by this amendatory Act of the 99th General Assembly apply to violations alleged to have occurred at meetings held on or after the effective date of this amendatory Act of the 99th General Assembly. (Emphasis added.)

[REDACTED]
January 16, 2019

Page 2

This provision permits a person using reasonable diligence who discovers an alleged violation of OMA after the initial 60-day period has expired to submit a Request for Review within 60 days of the date that the violation was discovered.

The claims in your Request for Review concern a meeting agenda that allegedly should have been posted and meeting minutes that allegedly should have been approved more than 60 days before you filed your Request for Review. Your Request for Review included copies of an October 29, 2018, Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) request to MOPD seeking copies of agendas, minutes, and other records concerning Task Force meetings and its November 8, 2018, response to your request. You have not, however, asserted that you used reasonable diligence to discover those alleged violations within 60 days, but despite that reasonable diligence, you did not discover the alleged violations within 60 days of their occurrence. Further, it appears that a person utilizing reasonable diligence would have discovered within 60 days that there was no agenda for the March 21, 2018, Task Force meeting, because the agenda for the February 7, 2018, meeting identified the next meeting date as on March 21, 2018. Likewise, a person utilizing reasonable diligence would have discovered that there were no minutes for meetings held before December 7, 2017, because the meeting minutes would have to have been approved within 30 days of the meetings or at the Task Force's second subsequent regular meeting, whichever is later. 5 ILCS 120/2.06(b) (West 2016). For example, the second subsequent regular meeting after the December 6, 2017, meeting of the Task Force, would have been the March 21, 2018, meeting. Consequently, this office does not have authority to review the allegations.

This office will take no further action in this matter. This file is closed. If you have any questions, please contact me at (217) 782-9054, mhartman@atg.state.il.us, or the Springfield address on this letter.

Very truly yours,

[REDACTED]
[REDACTED]
MATT HARTMAN
Assistant Attorney General
Public Access Bureau

56373 o 60 days mun

cc: Ms. Karen M. Tamley
Commissioner
Mayor's Office for People with Disabilities
121 North LaSalle Street
Room 104
Chicago, Illinois 60602



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 16, 2019

[REDACTED]
Vandalia Correctional Center
P.O. Box 500
Vandalia, Illinois 62471

Re: FOIA Request for Review – 2019 PAC 56434

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2014)). This Request for Review concerns a FOIA request that you submitted to the Illinois Department of Corrections (IDOC).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, IDOC denied your FOIA request on October 24, 2018. You submitted your Request for Review with this office in a letter postmarked January 11, 2019. Because you submitted your Request for Review more than 60 days after IDOC denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
LEAH BARTELT
Assistant Attorney General
Public Access Bureau

56434 f 60 days sa



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 23, 2019

[REDACTED]

P.O. Box 089002
Chicago, Illinois 60608

Re: FOIA Request for Review – 2019 PAC 56469

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department. The Chicago Police Department requested an extension to your request on October 4, 2017.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Chicago Police Department denied your FOIA request on October 4, 2017. Your Request for Review, postmarked January 10, 2019, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]

CHRISTOPHER BOGGS
Supervising Attorney
Public Access Bureau

56469 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 23, 2019

[REDACTED]

[REDACTED]
P.O. Box 089002
Chicago, Illinois 60608

Re: FOIA Request for Review – 2019 PAC 56471

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department. The Chicago Police Department responded to your request on September 25, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[.]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Chicago Police Department denied your FOIA request on September 25, 2018. Your Request for Review, postmarked January 10, 2019, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]

CHRISTOPHER BOGGS
Supervising Attorney
Public Access Bureau

56471 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 28, 2019

Ms. Stephanie L. Hovanec
Newman, Boyer & Statham, Ltd.
One South Wacker Drive, Suite 3140
Chicago, Illinois 60606

Re: FOIA Request for Review – 2019 PAC 56527

Dear Ms. Hovanec:

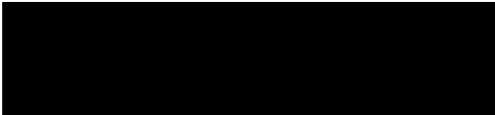
The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department (CPD). CPD responded to your request on November 5, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, CPD denied your FOIA request on November 5, 2018. As you submitted your Request for Review to this office on January 14, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,


CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

56527 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 28, 2019

[REDACTED]
Menard Correctional Center
P.O. Box 1000
Menard, Illinois 62259

Re: FOIA Request for Review – 2019 PAC 56529

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department (CPD). You allege that CPD did not respond to your September 19, 2018, Freedom of Information Act (FOIA) request.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, CPD denied your FOIA request on or about September 26, 2018, by allegedly failing to respond to your FOIA request. Your Request for Review, postmarked January 18, 2019, was submitted more than 60 days after that date; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

56529 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 28, 2019

[REDACTED]
Menard Correctional Center
P.O. Box 1000
Menard, Illinois 62259

Re: FOIA Request for Review – 2019 PAC 56531

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department (CPD). You allege that CPD did not respond to your November 1, 2018, Freedom of Information Act (FOIA) request.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[.]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, CPD denied your FOIA request on or about November 8, 2018. Your Request for Review, postmarked January 18, 2019, was submitted more than 60 days after that date; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

56531 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

January 31, 2019

[REDACTED]

Re: FOIA Request for Review – 2018 PAC 56071

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the DuPage Public Safety Communications. DuPage Public Safety Communications responded to your request on November 19, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, DuPage Public Safety Communications denied your FOIA request on November 19, 2018. As you submitted your Request for Review to this office on January 29, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

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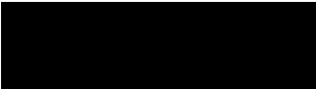


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

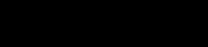
KWAME RAOUL
ATTORNEY GENERAL

January 31, 2019

Via electronic mail



Re: FOIA Request for Review – 2019 PAC 56859

Dear 

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Chicago Police Department. The Chicago Police Department responded to your request on September 28, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Chicago Police Department denied your FOIA request on September 28, 2018. As you submitted your Request for Review to this office on February 8, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,



MATT HARTMAN
Assistant Attorney General
Public Access Bureau

56859 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

February 20, 2019

Via electronic mail
Ms. Beth Hundsdorfer
Reporter
St. Louis Public Radio
3651 Olive Street
St. Louis, Missouri 63108
Bhp3d@umsl.edu

RE: FOIA Request for Review – 2019 PAC 56700

Dear Ms. Hundsdorfer:

On February 5, 2019, this office received your Request for Review concerning a Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) request that you submitted to the City of Belleville on November 7, 2018, and clarified on November 21, 2018. On November 29, 2018, the City responded by asserting that the records you requested are not public records subject to the requirements of FOIA. Alternatively, the City asserted that the records are exempt from disclosure under section 7(1)(c) (5 ILCS 140/7(1)(c) (West 2017 Supp.)), as amended by Public Act 100-732, effective August 3, 2018).

Section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)) provides:

A person whose request to inspect or copy a public record is denied by a public body, except the General Assembly and committees, commissions, and agencies thereof, may file a request for review with the Public Access Counselor established in the Office of the Attorney General *not later than 60 days after the date of the final denial*. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body. (Emphasis added.)

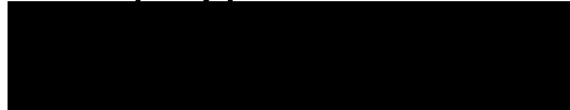
Because you submitted your Request for Review more than 60 days after the City denied your request, section 9.5(a) of FOIA precludes this office from reviewing this matter. However, please note that we have received your Request for Review concerning the City's denial of your

Ms. Beth Hundsdorfer
February 20, 2019
Page 2

February 7, 2019, for the same records. That Request for Review is timely and is being processed under file number 2019 PAC 56846.

This file is closed. If you have any questions, please contact me at (312) 814-6756.

Very truly yours,



STEVE SILVERMAN
Bureau Chief
Public Access Bureau

56700 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

February 22, 2019

[REDACTED]
Lawrence Correctional Center
10930 Lawrence Road
Sumner, Illinois 62466

Re: FOIA Request for Review – 2019 PAC 56793

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Illinois Department of Corrections (IDOC).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, IDOC denied your FOIA request on December 5, 2018. You submitted your Request for Review with this office in a letter postmarked February 7, 2019. Because you submitted your Request for Review more than 60 days after IDOC denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
S. PIYA MUKHERJEE
Assistant Attorney General
Public Access Bureau

56793 f 60 days sa

56793

RECEIVED
ATTORNEY GENERAL

FEB 13 2019

FOIA/OMA

Request for Review

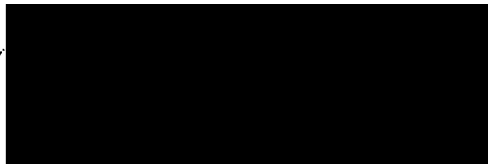
Attached hereto is the "denial" of
the I DOC.

I did not request Any thing from Staff members
personnel files" I did not ask for Any thing
from "Staff rosters" nor did I ask for
Any thing from "Other staffing Assignment information"

I Simply Asked for the "Last CBA". There ought to
be A LAW AGAINST this type of Mendacity, Chicanery
AND Feigned Ignorance. There would be just as many
I DOC employees in prison as common criminals.

Please return My ORIGINAL document.

/S/



Bruce Rauner
Governor



John Baldwin
Acting Director

The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD: (800) 526-0844

December 5, 2018

[REDACTED]
Lawrence Correctional Center
10930 Lawrence Road
Sumner, IL 62466

Re: Freedom of Information Request #181130274

Dear [REDACTED]

This letter is in response to your request to the Illinois Department of Corrections ("IDOC") pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1, et seq.

You have requested documents or records that contains the latest or last CBA for any Correctional Officers who are Union Members of AFSCME.

Response: Your request is denied pursuant to Section 7(1)(e-6) of the Freedom of Information Act which exempts the release of "records requested by persons committed to the Department of Corrections if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information."

You have a right to have the denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a) you can file your request for review with the PAC to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706

You also have the right to seek judicial review of your denial by filing a lawsuit in the state circuit court, pursuant to 5 ILCS 140/11.

If you choose to file a request for review with the PAC, you must do so within 60 calendar days of the date of this denial letter (5 ILCS 140/9.5(a)). Please note that you must include a copy of your original FOIA request and this denial letter when filing a request for review with the PAC.

Sincerely,
Lisa Weitekamp
Freedom of Information Officer

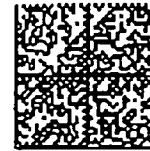
Mission: To serve justice in Illinois and increase public safety by promoting positive change in offender behavior, operating successful reentry programs, and reducing victimization.

www.illinois.gov/idoc



Correspondence From IDOC Inmate

-LEGAL MAIL-



U.S. POSTAGE PITNEY BOWES



ZIP 62259 \$ 000.50⁰
02 1W
0001389078 FEB. 07. 2019

711 Kaskaskia
Mendota, IL. 62259

Raoul Kwame
500 S 2nd St.
Springfield, IL. 62706

LEGAL



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

February 22, 2019

[REDACTED]
Menard Correctional Center
P.O. Box 1000
Menard, Illinois 62259

Re: FOIA Request for Review – 2019 PAC 56821

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Winnebago County Sheriff's Department (Sheriff's Department).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Sheriff's Department denied your FOIA request on October 16, 2018. You submitted your Request for Review with this office in a letter postmarked February 8, 2019. Because you submitted your Request for Review more than 60 days after the Sheriff's Department denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
S. PIYA MUKHERJEE
Assistant Attorney General
Public Access Bureau

56821 f 60 days county

Amethyst, Sarah Pugh

I am writing because I was
denied any and all statements pertaining
to my case in which I read, case # 14-CF-~~001184~~
1184. and I believe the document case # is
14-026259. The official name who notified
me is Sgt. T. Stanley. I am the
defendant and I have paid in full for
all documents and only received partial,
a copy of the letter I was sent will
be enclosed with this letter, please
help me obtain these documents for
post conviction remedies.

56821

RECEIVED
ATTORNEY GENERAL

FEB 14 2019

FOIA/OMA

14-CF-001184

Winnebago County Sheriff's Department
650 West State Street
Rockford, Illinois 61102
815-319-6010

Case Numbers: 14-026259

10/16/2018

Dear [REDACTED]

Thank you for contacting the Winnebago County Sheriff's Office with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On 8/13/18, you requested the following documents: a copy of 14-026259. On 8/14/18, we requested payment. On 10/4/18 payment was received. On 10/12 a letter was sent asking for an extension.

We have enclosed copies of the documents that you requested with deletions of private information and any juvenile identifiers according to subsection 7(1) (b) of 5 ILCS 140/1.

Your request for statements is denied exemption 5 ILCS 140/7(1)(d)(iv). Allows a public body to withhold records that would unavoidably reveal the identity of a complainant or witness.

To the extent that your request is being denied, you have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your request for review with the PAC by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 S. 2nd Street
Springfield, IL 62706
Telephone: 877-299-3642
Facsimile: 217-782-1396
Email: publicaccess@atg.state.il.us

You are further notified that you have the right to judicial review as provided in 5 ILCS 140/11.

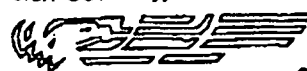
Thank you,

Sgt. T. Stanley

PO BOX / Correspondence From IDOC Inmate
MENARD IL 62259 -LEGAL MAIL-



U.S. POSTAGE >> FITNEY BOWES



ZIP 62259 \$ 000.50⁰
02 1W
0001389078 FEB 08 2019

Sarah Pratt
Public access counselor
office of The attorney general
500 S. 2nd Street
Springfield, IL 62706

Legal mail

LEGAL MAIL

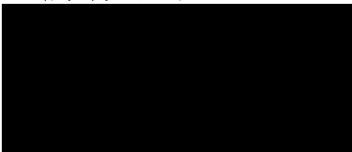


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

February 22, 2019

Via electronic mail



RE: FOIA Request for Review – 2019 PAC 56839;
Village of Villa Park File No.: W007927-121418

Dear 

The Public Access Bureau has received your Request for Review alleging that the Village of Villa Park (Village) improperly responded to your December 14, 2018, Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)) request. For the reasons explained below, this office has determined that no further action is warranted in this matter.

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Under section 9.5(a) of FOIA, a Request for Review must be made in writing, be signed by the requester, and *must include both a copy of the FOIA request submitted to the public body and any response that was received from the public body.*

Based on the information you provided, the Village responded to your above-captioned FOIA request on December 14, 2018. You initially filed a Request for Review with this office on February 8, 2019, but your Request for Review did not include a copy of your December 14, 2018, FOIA request. You provided this office with a copy of your FOIA request on February 14, 2019, which is 62 days after the Village responded to your request. Because this office did not receive a completed Request for Review within 60 days after the Village responded to your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

[REDACTED]
February 22, 2019
Page 2

If you have any questions, you may contact me by mail at the Chicago address at the bottom of the first page of this letter.

Very truly yours,

[REDACTED]
SHANNON BARNABY
Assistant Attorney General
Public Access Bureau

56839 f 60 days mun

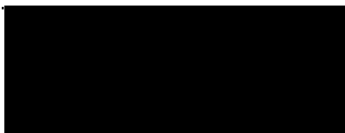
cc: *Via electronic mail*
Ms. Janet Gorman
FOIA Officer
Village of Villa Park
20 South Ardmore Avenue
Villa Park, Illinois 60181
jgorman@invillapark.com



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

February 27, 2019



Re: FOIA Request for Review – 2019 PAC 56820

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the City of Bloomington (City).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the City denied your FOIA request on October 10, 2018. You submitted your Request for Review with this office on February 14, 2019. Because you submitted your Request for Review more than 60 days after the City denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,



LEAH BARTELT
Assistant Attorney General
Public Access Bureau

56820 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

February 28, 2019

Via electronic mail



Re: FOIA Request for Review – 2019 PAC 56979

Dear [REDACTED]

The Public Access Bureau has received your Request for Review concerning the response to your Freedom of Information Act (FOIA) request by Peoria Public School District No. 150 (District). Pursuant to section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)), a Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body.

Based on the information that you provided, the District denied your FOIA request on September 14, 2018. Because you submitted this Request for Review to this office on February 25, 2019, more than 60 days after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

This office further notes, however, that your Request for Review did not allege that the District denied copies of records; rather, you alleged the records may not be accurate and that the District did not sufficiently explain the records. "[T]he claim that a public record contains incomplete or inaccurate information does not allege a FOIA violation and therefore is not subject to review by the Public Access Counselor." Ill. Att'y Gen. PAC Req. Rev. Ltr. 12432, issued February 25, 2011. Further, section 3.3 of FOIA (5 ILCS 140/3.3 (West 2016)) provides that FOIA "is not intended to compel public bodies to interpret or advise requesters as to the meaning or significance of the public records." Accordingly, even if you had filed your Request for Review within 60 days, this office would not have been able to review these complaints.

[REDACTED]
February 28, 2019

Page 2

This letter serves to close this matter. If you have any questions, please contact me at spratt@atg.state.il.us or 1-877-299-3642.

Very truly yours,

[REDACTED]
SARAH L. PRATT
Public Access Counselor

56979 f 60 days sd

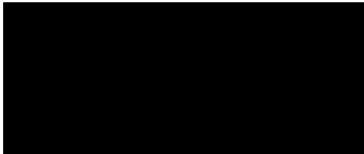


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 1, 2019

Via electronic mail



RE: FOIA Requests for Review – 2019 PAC 56840; 2019 PAC 56841;
2019 PAC 56842


Dear [REDACTED]

The Public Access Bureau has received your Requests for Review contesting the response by the Village of Villa Park (Village) to three Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) requests that you submitted on December 14, 2018. As explained below, this office lacks the authority to review the adequacy of the Village's response because your submissions to this office were untimely.

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Under section 9.5(a) of FOIA, a Request for Review must be made in writing, must be signed by the requester, and must include copies of both the FOIA request that was submitted to the public body and any responses that were received from the public body.

Based on the information you provided, you submitted three FOIA requests to the Village on December 14, 2018, under the reference numbers of W007924, W007925, and W007926. That same day, the Village provided a unified response to those requests. Specifically, the Village responded that the requests were duplicative of requests that were previously answered in October of 2018; the Village indicated that no additional responsive records existed.

On February 8, 2019, you first attempted to file Requests for Review with this office contesting the completeness of the Village's response to these three requests. In particular, you disputed the Village's claim that no other records responsive to the requests existed, but you



March 1, 2019

Page 2

did not include a copy of any of the requests. You subsequently provided this office with a copy of each FOIA request on February 14, 2019, which was 62 days after the date of the Village's response. Because you did not submit to this office all of the materials that FOIA required you to submit within 60 days after the Village responded to your FOIA requests, section 9.5(a) of FOIA precludes this office from reviewing these matters. Therefore, these files are closed.

If you have any questions, please contact the Public Access Bureau at the Chicago address at the bottom of the first page of this letter.

Very truly yours,


TERESA LIM
Assistant Attorney General
Public Access Bureau

56840 56841 56842 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 5, 2019

Via electronic mail



RE: FOIA Request for Review – 2019 PAC 56885

Dear 

On February 18, 2019, this office received your submission under section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)) alleging that the Chicago Fire Department (Department) failed to provide records responsive to your October 19, 2018, FOIA request after extending the time for responding to the request by five business days pursuant to section 3(e) of FOIA (5 ILCS 140/3(e) (West 2016)).

Section 3(f) of FOIA (5 ILCS 140/3(f) (West 2016)) provides, in pertinent part:

When additional time is required for any of the * * * reasons [set forth in section 3(e)], the public body shall, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. **Failure to respond within the time permitted for extension shall be considered a denial of the request.** (Emphasis added.)

Based on the information you provided, the Department did not substantively respond to your request after notifying you on October 26, 2018, that it was extending the time for response by five business days pursuant to section 3(e) of FOIA. Therefore, the Department denied your request on November 2, 2018, by failing to respond to your request within the extended response period. Section 9.5(a) of FOIA provides that a person whose FOIA request was denied "may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later than 60 days after the date of the final denial.**" (Emphasis added.) You submitted your Request for Review to this office on February 18, 2019. Because you submitted your Request for Review more than 60 days after the Department denied your request, section 9.5(a) of FOIA precludes us from reviewing this matter.

[REDACTED]
March 5, 2019

Page 2

This file is closed. If you have any questions, please contact me at (312) 814-6756 or ssilverman@atg.state.il.us.

Very truly yours,

[REDACTED]
STEVE SILVERMAN
Bureau Chief
Public Access Bureau

56885 f 60 days



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 14, 2019

[REDACTED]
Lincoln Correctional Center
P.O. Box 549
Lincoln, Illinois 62656

Re: FOIA Request for Review – 2019 PAC 57132

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Peoria Police Department. You allege that the Peoria Police Department did not respond to your November 20, 2018 FOIA request.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[.]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Peoria Police Department denied your FOIA request on November 30, 2018. Your Request for Review, postmarked February 28, 2019, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
CHRISTOPHER BOGGS
Supervising Attorney
Public Access Bureau

57132 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 20, 2019

[REDACTED]
Lawrence Correctional Center
10930 Lawrence Road
Sumner, Illinois 62466

Re: FOIA Request for Review – 2019 PAC 57253

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Urbana Police Department. The Urbana Police Department responded to your request on December 27, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Urbana Police Department denied your FOIA request on December 27, 2018. Your Request for Review, postmarked March 12, 2018, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]

CHRISTOPHER BOGGS
Supervising Attorney
Public Access Bureau

57253 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 22, 2019

Via electronic mail

Mr. Joel Flaxman

Law Offices of Kenneth N. Flaxman, P.C.

200 South Michigan Avenue, Suite 201

Chicago, Illinois 60604

jaf@kenlaw.com

Re: FOIA Request for Review – 2019 PAC 57207

Dear Mr. Flaxman:

On October 18, 2018, you submitted a Freedom of Information Act (FOIA) request to the Chicago Police Department (CPD) seeking a copy of arrest report number HK460415. On March 11, 2019, you emailed the above-captioned Request for Review seeking a response from CPD.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of a FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Because you did not submit your Request for Review until more than 60 days after CPD denied your FOIA request, section 9.5(a) precludes this office from reviewing CPD's response, and this file has been closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

A black rectangular redaction box covers the signature of S. Piya Mukherjee.

S. PIYA MUKHERJEE
Assistant Attorney General
Public Access Bureau

57207 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 25, 2019

[REDACTED]
Dixon Correctional Center
2600 North Brinton Avenue
Dixon, Illinois 61021

Re: FOIA Request for Review – 2019 PAC 57133

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Illinois Department of Corrections (IDOC).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, IDOC denied your FOIA request on December 21, 2018. You submitted your Request for Review with this office in a letter dated February 26, 2019. Because you submitted your Request for Review more than 60 days after IDOC denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
S. PIYA MUKHERJEE
Assistant Attorney General
Public Access Bureau

57133 f 60 days sa



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 25, 2019

Via electronic mail



Re: FOIA Request for Review – 2019 PAC 57216

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to Lake County (County).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the County denied your FOIA request on December 31, 2018. You submitted your Request for Review with this office in a fax dated March 12, 2019. Because you submitted your Request for Review more than 60 days after the County denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,



S. PIYA MUKHERJEE
Assistant Attorney General
Public Access Bureau

57216 f 60 days co



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 27, 2019

[REDACTED]
Lawrence Correctional Center
10930 Lawrence Road
Sumner, Illinois 62466

Re: FOIA Request for Review – 2019 PAC 57210

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Chicago Police Department (CPD).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, you sent a FOIA request to CPD in June, 2018, which was subsequently denied by CPD. You submitted your Request for Review with this office in a letter dated March 7, 2019. Because you submitted your Request for Review more than 60 days after CPD denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
TERESA LIM
Assistant Attorney General
Public Access Bureau

57210 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 27, 2019

Re: FOIA Request for Review – 2019 PAC 57275

Dear [REDACTED]


The Public Access Bureau has received your Request for Review, pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)), alleging that the Chicago Public Schools (CPS) failed to respond to a FOIA request that you state you submitted on January 1, 2019.

Section 3(d) of FOIA (5 ILCS 140/3(d) (West 2016)) provides, in pertinent part:

Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection (e) of this Section. * * * Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request.

Further, a Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, CPS denied your FOIA request on or about January 9, 2019, by failing to respond within five business days after receipt of your request. You submitted your completed Request for Review to this office in a letter postmarked March 13, 2019. Because you submitted your Request for Review more than 60 days after CPS


March 27, 2019

Page 2

allegedly denied your FOIA request by failing to issue a timely response, section 9.5(a) precludes this office from reviewing that denial. You may wish to submit a new FOIA request to CPS.

This file is closed. If you have any questions, please contact me at the Chicago address below.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

57275 60 days sd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 27, 2019

Re: FOIA Request for Review – 2019 PAC 57405

Dear [REDACTED]

The Public Access Bureau has received your Request for Review. Under section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)), a Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body.

Based on the information that you provided to us, the City of Chicago Heights denied your FOIA request on January 15, 2019, by failing to respond. You submitted your Request for Review to the Public Access Counselor on March 26, 2019. Because you filed your Request for Review more than 60 days after the public body denied your FOIA request, section 9.5(a) precludes this office from reviewing the public body's denial.

If you have any questions, please contact our office at the Springfield address below. This correspondence shall serve to close this matter.

Very truly yours,

[REDACTED]
MATT HARTMAN
Assistant Attorney General
Public Access Bureau

57405.f 60 days

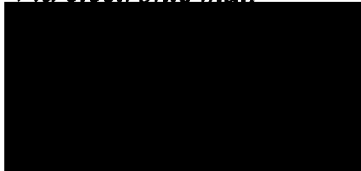


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

March 28, 2019

Via electronic mail



RE: OMA Requests for Review – 2019 PAC 57286; 2019 PAC 57287

Dear [REDACTED]

The Public Access Bureau has received your Requests for Review alleging violations of the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2016)) by the Pleasant Plains Community Unit School District No. 8 (District) Board of Education (Board). In particular, you allege that the Board improperly discussed matters in closed session at its January 22, 2018, February 26, 2018, and April 23, 2018, meetings. After reviewing the information that you have furnished, however, this office concludes that no further action in these matters is warranted.

2019 PAC 57286

On March 15, 2019, you submitted a Request for Review to the Public Access Bureau alleging that, in a May 9, 2018, letter from its legal counsel to this office, the District "had acknowledged having discussions during executive session for which there is no documentation within the February or April executive session minutes[.]"¹ In particular, you alleged that "the Student Matters cited exception [may have been] misused to have discussions that exceeded [the] cited exception."² You asserted that your Request for Review was submitted within 60 days of the date of the discovery of the alleged violation because the Public Access Bureau did not forward you a copy of the District's May 9, 2018, "response to a Request for Review until January 31, 2019[.]"^{3 4}

¹E-mail from [REDACTED] to Public Access, Office of the Attorney General (March 15, 2019).

²E-mail from [REDACTED] to Public Access, Office of the Attorney General (March 15, 2019).

³E-mail from [REDACTED] to Public Access, Office of the Attorney General (March 15, 2019).

⁴Due to a scrivener's error, the response was not successfully transmitted to you earlier.

March 28, 2019

Page 2

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2016)) provides:

A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the alleged violation. **If facts concerning the violation are not discovered within the 60-day period, but are discovered at a later date, not exceeding 2 years after the alleged violation, by a person utilizing reasonable diligence, the request for review may be made within 60 days of the discovery of the alleged violation.** The request for review must be in writing, must be signed by the requester, and **must include a summary of the facts supporting the allegation.** The changes made by this amendatory Act of the 99th General Assembly apply to violations alleged to have occurred at meetings held on or after the effective date of this amendatory Act of the 99th General Assembly. (Emphasis added.)

This provision permits a person using reasonable diligence who discovers an alleged violation of OMA after the initial 60-day period has expired to submit a Request for Review, including a summary of facts supporting the allegation, within 60 days of the date that the violation was discovered.

Your allegation concerning the Board's February 26, 2018, and April 23, 2018, closed session meetings is vague and does not provide a summary of facts indicating the Board discussed matters outside of the exceptions cited. Further, to the extent your Request for Review refers to the counsel for the Board's statement in his May 9, 2018, letter that "the Board discussed ongoing proceedings with [REDACTED]" at its February 26, 2018, meeting and discussed "matters related to [REDACTED] ongoing claims against the District"⁵ at its April 23, 2018, meeting, it appears that those discussions were related to the "student matters" exception in section 2(c)(10) of OMA⁶ (5 ILCS 120/2(c)(10) (West 2017 Supp.), as amended by Public Act 100-646, effective July 31, 2018) that you indicated had been cited by the Board as its basis for entering the closed sessions. Accordingly, no further action with respect to this allegation is warranted.

⁵Letter from Eric L. Grenezbach, Brown, Hay & Stephens, to Laura S. Harter, Assistant Attorney General, Public Access Bureau (May 9, 2018).

⁶Section 2(c)(10) of OMA permits a public body to hold closed session discussions concerning "[t]he placement of individual students in special education programs and other matters relating to individual students." (Emphasis added.)

March 28, 2019
Page 3

2019 PAC 57287

On March 15, 2019, you submitted a separate Request for Review alleging that the Board held improper closed session discussion at its January 22, 2018, meeting. In particular, you state that, in the closed session portion of the meeting, counsel for the Board advised the Board about responding to Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) requests. You asserted that Board's discussion concerning FOIA "does not appear to be about a particular employee, student, * * * [or] in response to any claim of litigation filed with the courts[.]"⁷ You enclosed a copy of the closed session minutes of the January 22, 2018, meeting with your Request for Review, which you obtained from the District as part of its January 15, 2019, response to your January 8, 2019, FOIA request. You asserted that your Request for Review was timely filed within 60 days of the date of your discovery of the violation on January 15, 2019.

The claims in this Request for Review concern allegedly improper discussions in a closed meeting that occurred more than 60 days before you filed your Request for Review. You asserted that the alleged OMA violation was not known to you before January 15, 2019. However, the minutes of the January 22, 2018, closed meeting were made available for public inspection by the Board on or about July 23, 2018.⁸ Therefore, a person using reasonable diligence could have discovered the alleged violation within 60 days of July 23, 2018. Because you did not utilize reasonable diligence to discover the alleged violation, this office does not have authority to review the allegations.

This office will take no further action in these matters. If you have any questions, please contact me at (217) 782-9054, mhartman@atg.state.il.us, or the Springfield address on this letter.


Very truly yours,

MATT HARTMAN
Assistant Attorney General
Public Access Bureau

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⁷E-mail from [REDACTED] to Public Access, Office of the Attorney General (March 15, 2019).

⁸Pleasant Plains Community Unit District No. 8 Board of Education, Meeting, July 23, 2018, Minutes 2.


March 28, 2019

Page 4

cc: *Via electronic mail*
The Honorable Gregg Humphrey, President
Board of Education
Pleasant Plains Community Unit School District No. 8
315 West Church
Pleasant Plains, Illinois 62677
ghumphrey@ppcusd8.org



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

March 28, 2019

Via electronic mail

[REDACTED]
P.O. Box 516
[REDACTED]

RE: OMA Request for Review – 2019 PAC 57342

Dear [REDACTED]

This determination is issued pursuant to section 3.5(b) of the Open Meetings Act (OMA) (5 ILCS 120/3.5(b) (West 2016)). For the reasons set forth below, the Public Access Bureau has determined that it is precluded from reviewing this matter because you submitted your Request for Review after the statutory period for doing so expired.

On March 20, 2019, this office received your Request for Review alleging that the Pecatonica Township Board of Trustees (Board) discussed matters in closed session during its March 20, 2018, meeting that fell outside the scope of section 2(c)(11) of OMA (5 ILCS 120/2(c)(11) (West 2017 Supp.), as amended by Public Act 100-646, effective July 27, 2018).¹ You stated that the Board voted during its March 19, 2019, meeting to continue keeping the closed session minutes of the March 20, 2018, meeting confidential. You provided this office with a timeline of Board meetings you believe to be relevant and highlighted certain parts of those meetings pertaining to the Board's consideration of a resolution to evict the multi-township assessor from the Township Hall; you also provided copies of certain agendas and minutes. You contended:

¹Section 2(c)(1-1) permits a public body to close a portion of a meeting to discuss:

Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

March 28, 2019

Page 2

As there are very specific reasons for entering into a closed meeting, and after hearing the comments made in open meeting during the March 19, 2019 regular board meeting, I feel the board is now and possibly has been from the initial March 20, 2018 closed meeting, in violation of the Open Meeting Act in regards to closed meetings.^[2]

The information you provided regarding the comments made during the March 19, 2019, meeting is that Township Supervisor Joe Musso allegedly said: "I will tell you as long as that person is still capable of gettin' after us I would like to leave them closed. I don't want a lawsuit."³

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2016)) provides:

A person who believes that a **violation of this Act** by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later than 60 days after the alleged violation**. If facts concerning the violation are not discovered within the 60-day period, but are **discovered at a later date**, not exceeding 2 years after the alleged violation, **by a person utilizing reasonable diligence**, the request for review may be made within 60 days of the discovery of the alleged violation. The request for review must be in writing, must be signed by the requester, and must include a summary of the facts supporting the allegation. (Emphasis added.)


Under the plain language of section 3.5(a), a person must submit a Request for Review within 60 days after an alleged violation occurred, unless the person did not discover facts concerning the alleged violation within those 60 days despite utilizing reasonable diligence. In that case, the Request for Review must be submitted within 60 days after discovery of the alleged violation.

This office has reviewed the materials you provided. The March 20, 2018, minutes document that you were in attendance.⁴ Your Request for Review stated that during the meeting, both before and after the closed session, the Board's attorney informed the public that

²Letter from [REDACTED] to Sarah Pratt, Public Access Counselor, Public Access Bureau (March 20, 2019).

³Letter from [REDACTED] to Sarah Pratt, Public Access Counselor, Public Access Bureau (March 20, 2019).

⁴Pecatonica Township Board, Meeting, March 20, 2018, Minutes 1.


March 28, 2019

Page 3

the closed session discussion concerned evicting the multi-township assessor from the Township Hall. Given that you also stated that a member of the public protested the Board's adjournment to closed session and was arrested and removed from the meeting when he continued to argue that the Board did not have a legitimate basis for entering closed session, it appears that you would have been aware of facts concerning the alleged violation at that time. Your timeline also appears to indicate that on October 16, 2018, the Township Supervisor acknowledged that no lawsuit had been filed in connection with the subject of the closed session discussion. To the extent that the absence of a lawsuit months several months after the meeting could be considered facts supporting the allegation that the closed session discussion was not authorized by section 2(c)(11), the information you provided indicates that you were aware of those facts more than 60 days before you filed your Request for Review. Supervisor Musso's alleged remarks during the Board's March 19, 2019, meeting about wanting to keep the March 20, 2018, minutes confidential to avoid a lawsuit do not provide newly discovered facts supporting the allegation that the Board held an improper closed session discussion.

Because you submitted your Request for Review more than 60 days after discovering the facts that could potentially support the allegation that the Board violated OMA, this office is precluded from taking further action in this matter.⁵ This file is closed. If you have questions, please contact me at the Chicago address on the bottom of the first page of this letter.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

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cc: *Via electronic mail*
The Honorable Joe Musso
Supervisor
Pecatonica Township
328 East 9th Street
Pecatonica, Illinois 61063
pectwnsp@frontier.com

⁵Although you also appear to argue that it is improper for Supervisor Musso to omit closed sessions from the Board's meeting agendas, section 2a of OMA (5 ILCS 120/2a (West 2016)) provides, in relevant part: "At any open meeting of a public body for which proper notice under this Act has been given, the body may, without additional notice under Section 2.02, hold a closed meeting in accordance with this Act." Accordingly, a public body may, but is not required to, list closed sessions on its meeting agendas.



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 3, 2019

Via electronic mail

Mr. Greg Reinwald
Susan E. Loggans & Associates, P.C.
180 North La Salle Street, Suite 2640
Chicago, Illinois 60601
thefirm@logganslaw.com

Re: FOIA Request for Review – 2019 PAC 57464

Dear Mr. Reinwald:

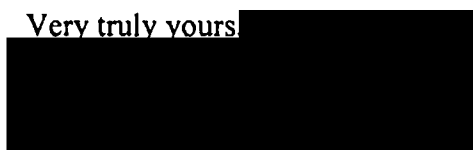
The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Illinois Department of Transportation (IDOT). IDOT responded to your request on September 26, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, IDOT denied your FOIA request on September 26, 2018. As you submitted your Request for Review to this office on March 29, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the Springfield address on the first page of this letter. This letter serves to close this matter.

Very truly yours,


CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 18, 2019

Via electronic mail
Ms. Cheryl Selburg
Assistant Vice President
Senior Client Associate
Wells Fargo
6810 North Knoxville Avenue
Peoria, Illinois 61614
[REDACTED]

RE: FOIA Request for Review – 2019 PAC 57649

Dear Ms. Selburg:

The Public Access Bureau has received your Request for Review alleging that the Village of Spring Bay (Village) Board of Trustees (Board) violated the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2016)) in connection with its February 8, 2019, special meeting. Because this Request for Review was submitted outside of the statutory deadline, this office can take no action with respect to this matter.

Your Request for Review alleges that the Board: (1) failed to vote to enter closed session;¹ and (2) improperly took final action in closed session to abolish the Village's police department.²

¹Under section 2a of OMA (5 ILCS 120/2a (West 2016)), a public body may close a portion of its meeting "upon a majority vote of a quorum present" during the open portion of its meeting along with "[t]he vote of each member on the question of holding a meeting closed to the public and a citation to the specific exception contained in Section 2 of this Act which authorizes the closing of the meeting to the public shall be publicly disclosed at the time of the vote and shall be recorded and entered into the minutes of the meeting."

²Section 2(e) of OMA (5 ILCS 120/2(e) (5 ILCS 120/2(e) (West 2017 Supp.)), as amended by Public Act 100-646, effective July 27, 2018) expressly prohibits public bodies from taking final action in closed session, stating: "No final action may be taken at a closed meeting. Final action shall be preceded by a public recital of the nature of the matter being considered and other information that will inform the public of the business being conducted."

Ms. Cheryl Selburg
April 18, 2019
Page 2

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2016)) provides, in pertinent part:


A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later 60 days after the alleged OMA violation. If facts concerning the violation are not discovered within the 60-day period, but are discovered at a later date, not exceeding 2 years after the alleged violation, by a person utilizing reasonable diligence, the request for review may be made within 60 days of the discovery of the alleged violation.** (Emphasis added.)

You submitted this Request for Review on April 11, 2019. The February 8, 2019, special meeting, therefore, occurred more than 60 days before you filed this Request for Review. Section 3.5(a) of OMA does permit a person to file a Request for Review within 60 days of discovering an alleged violation, for up to two years after the date of the alleged violation, but only if the person did not discover facts concerning the alleged violation within 60 days after it allegedly occurred despite using **reasonable diligence**.

Your Request for Review did not provide any facts from which this office could conclude that you did not discover the alleged February 8, 2019, violation within 60 days after that meeting despite using reasonable diligence. On the contrary, you acknowledge that you attended the February 8, 2019, special meeting. Therefore, you would have been aware of the facts concerning the OMA violations that you described in connection with that special meeting at the time of the meeting. Because the statutory deadline for filing a Request for Review expired before you submitted your allegations concerning the Board's February 8, 2019, special meeting, section 3.5(a) of OMA precludes the Public Access Counselor from reviewing those allegations.

This office will take no further action in this matter, and this file is closed. If you have any questions, you may contact me by mail at the Chicago address on the first page of this letter or by e-mail at sbarnaby@atg.state.il.us.

Very truly yours,


SHANNON BARNABY
Assistant Attorney General
Public Access Bureau

Ms. Cheryl Selburg
April 18, 2019
Page 3

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cc: The Honorable Ralph Atherton
Acting President
Village of Spring Bay Board of Trustees
407 Caroline Street
Spring Bay, Illinois 61611



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 22, 2019

Via electronic mail

The Honorable Allen Skillicorn
State Representative 66th District
1500 Carlemon Drive, Suite D
Crystal Lake, Illinois 60014
skillicorn@ilhousegop.org

RE: FOIA Request for Review – 2019 PAC 57606

Dear Representative Skillicorn:

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that your office submitted to the Illinois State Board of Elections (Board) on January 23, 2019. The Board partially denied your office's request on January 24, 2019.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Board partially denied your office's FOIA request on January 24, 2019. Because you submitted your Request for Review to this office on April 8, 2019, which is more than 60 days after the date that the Board partially denied the FOIA request, section 9.5(a) of FOIA precludes this office from reviewing that denial.

The Honorable Allen Skillicorn

April 22, 2019

Page 2

If you have any questions, please contact me at (217) 782-9054, mhartman@atg.state.il.us, or the Springfield address on the first page of this letter. This letter serves to close this matter.

Very truly yours,



MATT HARTMAN
Assistant Attorney General
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 25, 2019

[REDACTED]
Centralia Correctional Center
P.O. Box 7711
Centralia, Illinois 62801

Re: FOIA Request for Review – 2019 PAC 57736

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Prisoner Review Board. You allege the Prisoner Review Board did not respond to your October 5, 2018 request.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Prisoner Review Board denied your FOIA request on October 16, 2018. Your Request for Review, postmarked April 16, 2019, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]
MATT HARTMAN
Assistant Attorney General
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Kwame Raoul
ATTORNEY GENERAL

April 26, 2019

[REDACTED]

Hill Correctional Center
P.O. Box 1700
Galesburg, Illinois 61402

Re: FOIA Request for Review – 2019 PAC 57775

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the Illinois State Police. The Illinois State Police responded to your request on December 18, 2018.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Illinois State Police denied your FOIA request on December 18, 2018. Your Request for Review, postmarked April 16, 2019, was submitted more than 60 days after the denial of your FOIA request; therefore, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the address below. This letter serves to close this matter.

Very truly yours,

[REDACTED]

CHRISTOPHER BOGGS
Supervising Attorney
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 29, 2019

Via electronic mail

[REDACTED]

Re: FOIA Request for Review – 2019 PAC 57835

Dear [REDACTED]

The Public Access Bureau has received your Request for Review. Under section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)), a Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body.

Based on the information that you provided to us, the City of Chicago Fire Department denied your FOIA request on February 20, 2019, by failing to respond. You submitted your Request for Review to the Public Access Counselor on April 25, 2019. Because you filed your Request for Review more than 60 days after the public body denied your FOIA request, section 9.5(a) precludes this office from reviewing the public body's denial.

If you have any questions, please contact our office at the Springfield address below. This correspondence shall serve to close this matter.

Very truly yours,

[REDACTED]

CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

57835 f 60 days



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

May 14, 2019

Via electronic mail

The Honorable Synathia Harris
Board Secretary
Board of Education
Calumet Public School District 132
[REDACTED]

RE: OMA Request for Review – 2019 PAC 57996

Dear Ms. Harris:

The Public Access Bureau has received your Request for Review alleging a violation of the Open Meetings Act (OMA) (5 ILCS 120/1 *et seq.* (West 2016)) by the Calumet Public School District 132 (District) Board of Education (Board). In particular, you allege that the Board improperly discussed matters in closed session at its February 21, 2019, meeting. After reviewing the information that you have furnished, however, this office concludes that no further action is warranted.

Section 3.5(a) of OMA (5 ILCS 120/3.5(a) (West 2016)) provides:

A person who believes that a violation of this Act by a public body has occurred may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later than 60 days after the alleged violation**. If facts concerning the violation are not discovered within the 60-day period, but are discovered at a later date, not exceeding 2 years after the alleged violation, by a person utilizing reasonable diligence, the request for review may be made within 60 days of the discovery of the alleged violation. The request for review must be in writing, must be signed by the requester, and must include a summary of the facts supporting the allegation. The changes made by this amendatory Act of the 99th General Assembly apply to violations alleged to have occurred at meetings held on or after the

The Honorable Synathia Harris
May 14, 2019
Page 2.

effective date of this amendatory Act of the 99th General Assembly. (Emphasis added.)

This provision permits a person to file a Request for Review with the Public Access Bureau within 60 days of the alleged violation. It also allows a person who uses reasonable diligence to discover an alleged violation of OMA within the past two years to submit a Request for Review within 60 days of the date that the violation was discovered even if the initial 60-day period has expired.

The claim in your Request for Review concerns a closed meeting of the Board on February 21, 2019, which you attended in your capacity as Board secretary. Thus, you discovered the alleged violation within the initial 60-day period, and had 60 days from the date of the alleged violation to submit your Request for Review. You filed your Request for Review on May 7, 2019 – 75 days after the February 21, 2019, meeting when the alleged violation occurred.. Consequently, this office does not have authority to review the allegation.

This office will take no further action in this matter. This files is closed. If you have any questions, please contact me at (217) 782-9054, mhartman@atg.state.il.us, or the Springfield address on this letter.

Very truly yours,



MATT HARTMAN
Assistant Attorney General
Public Access Bureau

57996 o 60 days sd

cc: The Honorable Karen Ivey
President
Board of Education
Calumet Public School District 132
1440 West Vermont Drive
Calumet Park, Illinois 60827
kivey@sd132.org



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

May 29, 2019

Mr. Joseph Sheppard
Field Supervisor
Midwest Region Foundation for Fair Contracting, Inc.
1 North Old State Capitol Plaza, Suite 525
Springfield, Illinois 62701

Re: FOIA Request for Review – 2019 PAC 58192

Dear Mr. Sheppard:

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the City of Alton (City). The City responded to your request on March 15, 2019.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the City denied your FOIA request on March 15, 2019. As you submitted your Request for Review to this office on May 20, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the Springfield address below. This letter serves to close this matter.

Very truly yours,

A black rectangular redaction box covering the signature of Laura S. Harter.

LAURA S. HARTER
Deputy Bureau Chief
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 5, 2019

[REDACTED]
P.O. Box 089002
Chicago, Illinois 60608

Re: FOIA Request for Review – 2019 PAC 57984

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to Cal Comm 9-1-1 (Cal Comm).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, Cal Comm denied your FOIA request on August 21, 2018. You submitted your Request for Review with this office in a letter postmarked May 2, 2019. Because you submitted your Request for Review more than 60 days after Cal Comm denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very respectfully,
[REDACTED]

EDIE STEINBERG
Assistant Attorney General
Public Access Bureau

57984 f 60 days 911 ctr



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 7, 2019

Via electronic mail

Re: FOIA Request for Review – 2019 PAC 58292

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Cook County State's Attorney's Office (State's Attorney's Office).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the State's Attorney's Office denial of your FOIA request is dated March 15, 2019. You submitted your Request for Review to this office via U.S Mail in an envelope postmarked May 21, 2019. Because you submitted your Request for Review more than 60 days after the State's Attorney's Office denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,

[REDACTED]
STEVE SILVERMAN
Bureau Chief
Public Access Bureau

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OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 11, 2019

Via electronic mail

Mr. Joshua Tepfer
Attorney
The Exoneration Project
311 North Aberdeen Street, 3rd Floor
Chicago, Illinois 60607
josh@exonerationproject.com

RE: FOIA Request for Review – 2019 PAC 58326; CPD FOIA P472223

Dear Mr. Tepfer:

The Public Access Bureau has received your Request for Review alleging that the Chicago Police Department (CPD) improperly responded to your Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)) request. For the reasons explained below, this office has determined that no further action is warranted in this matter.

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, it appears that on February 14, 2019, CPD responded to the FOIA request at issue by providing your assistant with certain records. On March 11, 2019, and March 26, 2019, your assistant informed CPD that the provided records were not responsive to the request because they related to a different case number than that specified in the request. On March 26, 2019, CPD responded that FOIA request P472223 was closed on February 14, 2019. Later that day, it stated that it had performed a search using the case number listed in the FOIA request but did not locate any responsive records. You sent CPD an e-mail on March 29, 2019, questioning its response, to which it replied on May 14, 2019, by maintaining that it does not possess any records responsive to your request. Your Request for Review seeks to challenge CPD's assertion that it does not possess any responsive records.

Mr. Joshua Tepfer


June 11, 2019

Page 2

You submitted your Request for Review to this office via e-mail on May 31, 2019, which is more than 60 days after both CPD's response to your request on February 14, 2019, and its March 26, 2019, clarification that it did not locate any records concerning the case number listed in your request. CPD's May 14, 2019, e-mail to you, in which it reiterated that it did not locate any records concerning the case number listed in your request, does not constitute the "final denial" for the purposes of the above-quoted statutory period within which a person may submit a Request for Review to this office. Because you filed your Request for Review more than 60 days after CPD responded to your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, you may contact me by mail at the Chicago address at the bottom of the first page of this letter.

Very truly yours,


SHANNON BARNABY
Assistant Attorney General
Public Access Bureau

58326 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 13, 2019

Via electronic mail


[REDACTED]
P.O. Box 366
Park Ridge, Illinois 60068
[REDACTED]

RE: FOIA Requests for Review – 2019 PAC 58354

Dear [REDACTED]

The Public Access Bureau has received your Request for Review contesting the response by the City of Chicago Department of Water Management (Department) to your Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) request seeking copies of various records pertaining to a named contractor and the Jardine Plant. As explained below, this office lacks the authority to review the Department's partial denial of your request because your submission to this office was untimely.

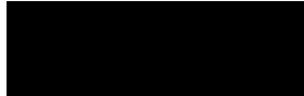
A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Based on the information you provided, the Department issued its partial denial of your request on March 29, 2019. You e-mailed your Request for Review to this office on June 2, 2019, which was 65 days after the date of the Department's response. Because you did not submit your Request for Review to this office within the 60 days after the Department partially denied your FOIA request, section 9.5(a) of FOIA precludes this office from reviewing this matter. Therefore, this file is closed.


June 13, 2019

Page 2

If you have any questions, please contact the Public Access Bureau at the Chicago address at the bottom of the first page of this letter.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

58354 f 60 days reg auth



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 14, 2019

Via electronic mail

Re: FOIA Request for Review – 2019 PAC 58355

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the City of Chicago Department of Transportation (Department). The Department responded to your request on April 8, 2019.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Department denied your FOIA request on April 8, 2019. As we received the completed Request for Review on June 13, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the Springfield address below or LHarter@atg.state.il.us. This letter serves to close this matter.

Very truly yours,

[REDACTED]
LAURA S. HARTER
Deputy Bureau Chief
Public Access Bureau

58355 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 20, 2019



Re: FOIA Request for Review – 2019 PAC 58543

Dear 

The Public Access Bureau has received your Request for Review pursuant to section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). This Request for Review concerns a FOIA request that you submitted to the Town of Cicero (Town).

A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Town denied your FOIA request on March 19, 2019. You e-mailed your Request for Review to this office on June 13, 2019, which is 86 days after the date of the Town's response. Because you submitted your Request for Review more than 60 days after the Town denied your FOIA request, section 9.5(a) precludes this office from reviewing this matter. Therefore, this file is closed.

If you have any questions, please contact me at the Chicago address below.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

58543 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 24, 2019

[REDACTED]
Menard Correctional Center
P.O. Box 1000
Menard, Illinois 62259

Re: FOIA Request for Review – 2019 PAC 58575

Dear [REDACTED]

The Public Access Bureau has received your Request for Review pursuant to section 9.5 of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2016)). The Request for Review concerns a FOIA request that you submitted to the City of Rock Island Police Department (Police Department). The Police Department responded to your request on March 6, 2019.

A Request for Review may be filed with the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016).

Based on the information you provided, the Police Department denied your FOIA request on March 6, 2019. As you submitted your Request for Review to this office on June 17, 2019, and more than 60 days have lapsed after the denial of your FOIA request, section 9.5(a) precludes this office from reviewing that denial.

If you have any questions, please contact me at the Springfield address on the first page of this letter. This letter serves to close this matter.

Very truly yours,

[REDACTED]
CHRISTOPHER R. BOGGS
Supervising Attorney
Public Access Bureau

58575 f 60 days pd



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 25, 2019

Via electronic mail
Mr. Sam Stecklow
Reporter, Invisible Institute
Experimental Station
6100 South Blackstone Avenue
Chicago, Illinois 60637
foia@invisibleinstitute.com

RE: FOIA Request for Review – 2019 PAC 58619;
CPD FOIA No. P477173-031819

Dear Mr. Stecklow:

On June 18, 2019, you submitted a Request for Review to the Public Access Bureau under section 9.5(a) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(a) (West 2016)). Your Request for Review included both a copy of your March 15, 2019, FOIA request to the Chicago Police Department (CPD) and also CPD's March 18, 2019, acknowledgement of receipt, which stated that it would comply with the request in accordance with the timeframe set out by FOIA.¹ Absent an extension for its response under section 3(e) of FOIA (5 ILCS 140/3(e) (West 2016)), CPD would have been required to respond to your request by March 25, 2019.

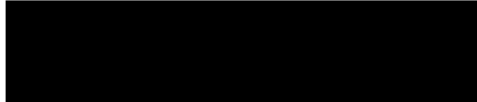
Section 9.5(a) of FOIA requires a Request for Review be filed with the Public Access Counselor "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. More than 60 days have elapsed since the date by which CPD was required to respond to your FOIA request; therefore, section 9.5(a) precludes this office from reviewing this denial. This file has been closed.

¹Section 3(d) of FOIA (5 ILCS 140/3(d) (West 2016)) provides that "[e]ach public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection (e) of this Section." (Emphasis added.)

Mr. Sam Stecklow
June 25, 2019
Page 2

If you have any questions, please contact me at ldraws@atg.state.il.us, (217) 782-1699, or the Springfield address on the first page of this letter.

Very truly yours,



LEO DRAWS
Assistant Attorney General
Public Access Bureau

58619 f 60 days pd

cc: *Via electronic mail*
Ms. Dana O'Malley
Assistant General Counsel
Chicago Police Department
3510 South Michigan Avenue
Chicago, Illinois 60653
pacola@chicagopolice.org

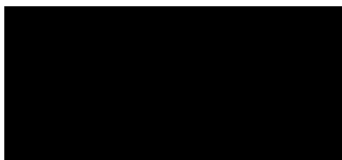


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 26, 2019

Via electronic mail




RE: FOIA Requests for Review – 2019 PAC 58493; 2019 PAC 58529

Dear [REDACTED]

The Public Access Bureau has received your Requests for Review contesting the responses by the City of Evanston (City) to your Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) requests seeking copies of various records pertaining to a bond issuance. As explained below, this office lacks the authority to review the City's partial denials of your requests because your submissions to this office were untimely.

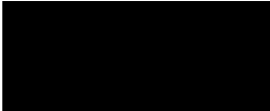
A person whose FOIA request has been denied may submit a Request for Review to the Public Access Counselor in the Office of the Attorney General "[n]ot later than 60 days after the date of the final denial[]" of the FOIA request by the public body. 5 ILCS 140/9.5(a) (West 2016). Based on the information you provided, you submitted two FOIA requests to the City on March 11, 2019, which were processed under the reference numbers "FOIA 19-231" and "FOIA 19-232." The City issued partial denials of the two requests on April 8, 2019. You e-mailed your Requests for Review of the City's responses to this office on June 11, 2019, and June 13, 2019, which was 64 days and 66 days, respectively, after the date of the City's responses. Although you state that you had initially sent your Requests for Review to this office by postal mail, this office has no record of receiving those materials. You enclosed a copy of a letter addressed to the Attorney General's Office's FOIA officer dated May 20, 2019, but we have not received information such as a postmark demonstrating when the letter was sent, and this office's FOIA officer has confirmed that the letter was not received. Because you e-mailed your Requests for Review to this office more than 60 days after the City partially denied your FOIA requests and because this office has no record of receiving hard copies of those submissions, section 9.5(a) of FOIA precludes this office from reviewing these matters. Therefore, these files are closed.


June 26, 2019

Page 2

If you have any questions, please contact the Public Access Bureau at the Chicago address at the bottom of the first page of this letter.

Very truly yours,



TERESA LIM
Assistant Attorney General
Public Access Bureau

58493 58529 f 60 days mun



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 27, 2019

Via electronic mail



RE: FOIA Requests for Review – 2019 PAC 58593; Evanston no. 19-245
2019 PAC 58597; Evanston no. 19-246
2019 PAC 58600; Evanston no. 19-304

Dear 

On June 15, 2019, you contacted the Public Access Bureau by e-mail alleging that the City of Evanston (City) violated FOIA in response to two March 12, 2019, Freedom of Information Act (FOIA) (5 ILCS 140/1 *et seq.* (West 2016)) requests you submitted, as well as a March 28, 2019, FOIA request.

Section 9.5(a) of FOIA (5 ILCS 140/9.5(a) (West 2016)) sets out the requirements for filing a Request for Review as follows:

A person whose request to inspect or copy a public record is denied by a public body * * * may file a request for review with the Public Access Counselor established in the Office of the Attorney General **not later than 60 days after the date of the final denial**. The request for review must * * * include * * * any responses from the public body. (Emphasis added.)

The information you provided to this office reflects that a deputy city clerk responded to your March 12, 2019, requests on March 14, 2019, asserting that they were unduly burdensome under section 3(g) of FOIA (5 ILCS 140/3(g) (West 2016)) based on the estimated amounts of responsive records (934 and 1,644) and asking you to narrow them. The same deputy city clerk responded to your March 28, 2019, request in the same manner on April 2, 2019, estimating that there are more than 6,300 pages of responsive records. You claimed to this office that your requests remained "open" since March 28, 2019, and April 2, 2019,

[REDACTED]
June 27, 2019

Page 2

respectively,¹ but you did not provide any information indicating that you subsequently narrowed any of the requests or that the City issued any type of response to any of the requests after those dates.


Section 3(g) of FOIA provides, in relevant part:

Requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. Before invoking this exemption, the public body shall extend to the person making the request an opportunity to confer with it in an attempt to reduce the request to manageable proportions. If any public body responds to a categorical request by stating that compliance would unduly burden its operation and the conditions described above are met, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the public body. Such a response shall be treated as a denial of the request for information.

In asserting that your requests were unduly burdensome and asking you to narrow them to manageable proportions, the deputy city clerk indicated that the City was denying your requests unless you narrowed them. Your statement that the city clerk was denied access to the requested communications and therefore was unable to verify the burdensomeness of the requests does not negate that the City effectively denied your requests on March 14, 2019, and April 2, 2019, regardless of whether those requests still appeared to be "open" in the City's online FOIA system. FOIA did not require the city clerk to verify the burdensomeness of your requests in order for you to submit narrowed versions.

Because June 15, 2019, came more than 60 days after the City denied your requests on March 28, 2019, and April 2, 2019, your three Requests for Review at issue in this determination letter are untimely. Therefore, this office has no authority to review the validity of the City's denials, and these files are closed.

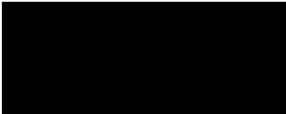
¹E-mails from [REDACTED] to whom it may concern (June 15, 2019).


June 27, 2019

Page 3

If you have any questions, please contact me at (312) 814-8413,
jjones@atg.state.il.us, or the Chicago address at the bottom of the first page of this letter.

Very truly yours,


JOSHUA M. JONES
Deputy Bureau Chief
Public Access Bureau

58593 58597 58600 f 60 days mun

cc: *Via electronic mail*
Ms. Michelle L. Masoncup
Corporation Counsel, Law Department
City of Evanston
2100 Ridge Avenue
Evanston, Illinois 60201
mmasoncup@cityofevanston.org